

Bedford Hills, New York  
May 1, 2012

At 6:30 the Town Board of the Town of Bedford conducted a site visit to the property at 44 Holly Branch Road in Katonah, whose owners have submitted an appeal to the Town Board of a decision made by the Historic Building Preservation Commission. The Board returned to the Town House at 7:20 pm.

The first meeting for the month of May of the Town Board of the Town of Bedford was held on May 1, 2012 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:05 P.M. by Supervisor Roberts.

<b>Present:</b>	Lee V. A. Roberts	: Supervisor
	Peter Chryssos	: Councilman
	Francis T. Corcoran	: Councilman
	Chris Burdick	: Councilman
	David Gabrielson	: Councilman
	Lisbeth Fumagalli	Town Clerk
	Joel H. Sachs	: Town Attorney
	William Heidepriem	: Supt. Recreation and Parks
	Kevin Winn	: Commissioner of Public Works
	Amy Pectol	: Receiver of Taxes
	William Hayes	: Chief of Police
	Edward Ritter	: Town Comptroller

And ten (10) residents/observers.

#### **TOWN OF BEDFORD CONSERVATION BOARD GREEN AWARDS**

Conservation Board Chairman Simon Skolnik recognized the following with “Green Awards” for outstanding environmental contributions to the Town of Bedford:

1. Glen Arbor Golf Club
2. Thomas H. Meyer
3. Leave Leaves Alone
4. Rainbeau Ridge Farm
5. Bedford Village Elementary School Brownie Troop #1047 “Kids for Caps” program
6. Perennial Gardens
7. One Earth Club, Fox Lane Middle School
8. Katonah Elementary School

Mr. Skolnik offered thanks to Conservation Board members Rosemary Lee, Stan Starr, Dan Farkas and Marion Rose for their efforts on these awards.

#### **ANNOUNCEMENTS**

1. Bedford Police Department received first place award in the NYS Law Enforcement Challenge.

Chief Hayes that the Town of Bedford Police Department had been awarded first place in the New York Law Enforcement Challenge which annually recognizes outstanding performance by New York’s law enforcement in the area of traffic safety.

2. County Earth Day Awards announced April 22<sup>nd</sup> – Bedford Garden Club for Mount Kisco Elementary School Garden and Fiona Mitchell for B2020 Leave Leaves Alone.

Mrs. Roberts advised that at the County Earth Day awards the Bedford Garden Club was recognized for the garden planted at Mount Kisco Elementary School and Fiona Mitchell was recognized for B2020 Leave Leaves Alone.

#### **APPROVAL OF CLAIMS**

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None  
Absent: None

RESOLVED, that the following claims for 2012 be allowed for payment from their respective funds,

	<b>2012</b>
General Fund	\$ 60,224.53
Highway Fund	22,330.98
Consolidated Water District	5,789.26
Cedar Downs Water District	182.63
Farms Water District	309.58
Old Post Road Water District	747.73
Energy	37,802.00
Special Districts:	
Bedford Village Memorial Park	3,480.16
Bedford Hills Memorial Park	1,795.36
Katonah Memorial Park	1,814.43
Capital Projects	<u>1,101,622.18</u>
	\$ 1,236,098.84

## DEPARTMENTS

1. Request approval to retain LynStaar Engineering P.C. for work associated with pool filtration electrical equipment at three (3) pools.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby grant approval to the Department of Recreation and Parks to retain LynStaar Engineering P.C., Manville Road, Pleasantville, New York for work associated with pool filtration electrical equipment at the three Town of Bedford park pools, at a cost of \$12,500.00 as per the memorandum dated April 24, 2012 from William Heidepriem, Superintendent of Recreation and Parks.

2. Request to go to bid for two (2) new platform tennis structures.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby grant approval for the Department of Recreation and Parks to go to bid for two (2) new platform tennis structures for the Katonah Memorial Park, as per the memorandum dated April 24, 2012 from William Heidepriem, Superintendent of Recreation and Parks.

3. Recommendation to award material bids for cold water meters, iron body gate valves, ductile iron pipe and fire hydrants.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

WHEREAS, the Water Department annually solicits bids for the purchase of materials to be used in the Consolidated, Cedar Downs and the Farms Water Districts, such as fire hydrants, cold water meters, ductile iron pipe and gate valves, and

WHEREAS, by memorandum dated April 19, 2012, William Nickson, Foreman of the Water Department advised that bids were received and opened on April 10, 2012 as follows:

<u>Vellano Bros.</u>			<u>Vellano Bros</u>		<u>Vellano Bros.</u>			
Fire Hydrants	4'0"	\$1,933.00	Iron Pipe	4"	\$20.30	Gate Valves	4"	\$382.25
	4'6"	\$1,977.00		6"	\$27.21		6"	\$487.80
	5'0"	\$2,001.00		8"	\$36.94		8"	\$776.50
	5'6"	\$2,045.12		10"	\$47.88		10"	\$1,210.80
	6'0"	\$2,088.66		12"	\$59.48		12"	\$1,532.15

Rio Supply d/b/a SLC Meter East

		<u>Price 1-50</u>	<u>Price 50+</u>
Cold Water	5/8" x 5/8"	\$104.00	\$ 94.00
Meters	5/8 x 3/4"	\$104.00	\$ 94.00
	3/4 x 3/4"	\$143.00	\$129.00
	1"	\$193.00	\$174.00
	1 1/2"	\$430.00	\$387.00
	2"	\$530.00	\$477.00
Radio	Wall Transmitter	\$97.00	\$ 93.00
	Pit Transmitter	\$136.00	\$125.00
	Brackets	\$11.00	\$ 10.00

WHEREAS, Mr. Nickson, Foreman, Water Department recommends the Town Board accept Vellano Bros. Inc., as the low bidder for Fire Hydrants, Iron Pipe and Gate Valves, Rio Supply d/b/a SLC Meter East for Cold Water Meters and Radios,

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board does hereby award the bids to the lowest most responsible bidders for Fire Hydrants, Iron Pipe and Gate Valves to Vellano Brothers, Wappingers Falls, New York, and the bid for Cold Water Meters and Radios to Rio Supply d/b/a S.L.C. Meter East, Inc., Sicklerville, New Jersey.

4. Recommendation to award bids for Highway Material and Equipment Rental.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby award the bids for Material and Equipment Rental for 2012-2013 as per the memorandum dated April 26, 2012 from Kevin Winn, Commissioner of Public Works.

5. Approve Change Order No. 1 for electrical contract for the Water Filtration Plant.

On a motion by Mr. Gabrielson seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve Change Order No. 1 for the electrical contract with RLJ Electric for the Water Filtration Plant in the amount of \$44,615.97, which is inclusive of the previously approved \$22,398.96 approved by the Town Board on April 3, 2012; and

IT IS FURTHER

RESOLVED that the Town Board authorizes a time extension of twelve (12) days as part of this change order and does hereby authorize the Supervisor to execute the proposed change order as per the memorandum dated April 26, 2012 from Kevin Winn, Commissioner of Public Works.

6. Approve Change Order No. 5 and Modification A-23 for the general contract for the Water Filtration Plant.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve Change Order No. 5 to the general contract for the Water Filtration Plant in the amount of \$93,391.59 and authorizes the Supervisor to execute the proposed change order, as per the memorandum dated April 26, 2012 from Kevin Winn, Commissioner of Public Works.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve Modification A-23 to the general contract for the Water Filtration Plant in the amount of \$14,036.79, said amount to be included in a future change order, as per the memorandum dated April 30, 2012 from Steven P. Wescott – Construction Project Associate - Hahn Eng/O'Brien & Gere Joint Venture.

7. Approve payment to Katonah Plumbing for emergency replacement of the sewage pumps at the Town House.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the payment to Katonah Plumbing and Heating LLC for invoice number 24307 in the amount of \$4,629.83 for the emergency replacement of sewage pumps at the Town of Bedford Town House, 321 Bedford Road, as per the memorandum dated April 25, 2012 from Steven Fraietta, Building Inspector.

8. Request citizen donations be applied to Police training program.

On a motion by Mr. Corcoran, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the request for citizen donations in the amount of \$1,650.00 be applied to the Police training program, as per the memorandum dated April 26, 2012 from William Hayes, Chief of Police.

9. Request approval A-1 Computer Services to supply, implement and service alarm billing program.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the contract with A- 1 Computer Services to supply, implement and service alarm billing for the Town of Bedford, at a cost not to exceed \$9,500.00, as per the memorandum dated April 26, 2012 from Edward Ritter, Town Comptroller.

10. Request approval of the 2012-2020 Capital Plan.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby accept the Capital Plan for 2012-2020 as submitted by Edward Ritter, Town Comptroller and the memorandum dated April 26, 2012.

11. Authorize Supervisor to sign proposal to perform Phase I Environmental Site Assessment at the Highway facility on Crusher Road.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to sign the proposal from Environmental Planning and Management, Inc., 1983 Marcus Ave., Suite 109, Lake Success, New York for a Phase I Environmental Site Assessment at the Peckham Property, shown and designated on Town Tax Maps as Section 60.08, Block 1, Lot 2 at a cost not to exceed \$4,480.00.

### **CORRESPONDENCE**

1. Katonah Fire Department request for approval of Games of Chance License.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

WHEREAS, the Katonah Fire Department, located at 65 Bedford Road, Katonah, New York has made application for a Games of Chance License as authorized by Section 186 of Article 9A of the General Municipal Law, and

WHEREAS, said organization has been licensed in the past to conduct Games of Chance, and no violations of the rules and regulations were brought to the attention of the Board, and

WHEREAS, the applicant is an appropriate licensee, has paid the proper licensing fee and upon investigation of local records by the Police Department is found to be in compliance,

NOW, THEREFORE, BE IT RESOLVED

THAT a license to conduct Games of Chance License No. 2812-12 by the Katonah Fire Department, 65 Bedford Road, Katonah, New York on the occasion of their annual carnival, June 6<sup>th</sup> to 9<sup>th</sup>, 2012 is hereby granted.

### **NEW BUSINESS**

1. Set Public Hearing on modifications to the Refuse and Garbage Improvement District.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

### **ORDER OF THE TOWN BOARD OF THE TOWN OF BEDFORD CALLING FOR A PUBLIC HEARING FOR THE ESTABLISHMENT OF A REFUSE AND GARBAGE IMPROVEMENT DISTRICT**

WHEREAS, pursuant to Article 12-a of the Town Law of the State of New York (the "Town Law"), the Town Board proposes the establishment of a Refuse and Garbage Improvement District (the "District") for the prevention and reduction of waste matter consisting of carbon components of energy waste from residential properties within the Town of Bedford and to aid in the performance of energy audits and the purchase and installation of energy efficiency improvements (as such term is defined in Section 209-i of the Town Law) on such residential properties; and

WHEREAS, establishment of the District is based upon a map, plan and report which the Town Board caused to be duly filed in the office of the Town Clerk on April 26, 2012; and

WHEREAS, the Town Board has reviewed and studied the map, plan and report upon which the establishment of the District is based.

NOW, THEREFORE, BE IT DETERMINED and stated that the boundaries of the District shall be coterminous with the boundaries of the Town of Bedford; and be it

FURTHER DETERMINED, that the improvements proposed in the District shall include the performance of energy audits and the purchase and installation of energy efficiency improvements on residential properties that reduce energy consumption, including but not limited to caulking, weatherstripping, air sealing, insulation, heating and cooling systems upgrades, solar thermal systems and conservation measures (the “Improvements”), and that all properties within the District will be benefited by the overall prevention and reduction of waste matter consisting of carbon components of energy waste within the Town of Bedford; and be it

FURTHER DETERMINED, that the maximum amount to be expended by the Town for the Improvements shall be zero (0\$) dollars; and be it

FURTHER DETERMINED, that the Improvements will be financed through financings issued to residential property owners by the Energy Improvement Corporation, a local development corporation established by the Town of Bedford under Section 1411 of the Not-For-Profit Corporation Law of the State of New York, pursuant to the terms and conditions of a finance agreement made by and between the Energy Improvement Corporation and the participating property owner; and be it

FURTHER DETERMINED, that the cost of the District to typical properties within the District shall be zero (0\$) dollars, provided that each property which accepts a financing issued by the Energy Improvement Corporation to finance the Improvements shall bear the cost of debt service on such financings through charges levied on the real property, which monies shall be collected in the same manner as Town taxes and assigned by the Town of Bedford to the Energy Improvement Corporation; and be it

FURTHER DETERMINED, that the map, plan and report upon which establishment of the District is based is on file in the office of the Town Clerk for public inspection; and be it

ORDERED, that the Town Board will meet to hold a public hearing to hear all persons interested in the establishment of the District on May 15, 2012 at 8:00 o’clock P.M. in the Court Room at the Town House at 321 Bedford Road in Bedford Hills; and be it

FURTHER ORDERED, that the Town Clerk shall publish a certified copy of this Order in the official paper and shall post a copy on the signboard of the Town not less than ten (10) nor more than twenty (20) days prior to the hearing date; and be it

FURTHER ORDERED, that the Town Board shall prepare a detailed explanation of how the estimated cost of the District to typical properties was computed, and such explanation shall be filed in the office of the Town Clerk prior to publication of a copy of this order; and be it

FURTHER ORDERED, that the Town Clerk shall file a certified copy of this order with the Comptroller of the State of New York on or about the date of the publication of a copy of this order; and be it

FURTHER ORDERED, that the Town Clerk shall enter this order into the official minutes of the Town Board.

## 2. Set Work Sessions.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes:	Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays:	None
Absent:	None

May 1, 2012 – Regular meeting - continued

RESOLVED that the Town Board does hereby set a work session on legislation for Thursday, May 17, 2012 at the Town House Annex at 425 Cherry Street, Bedford Hills, New York.

There being no further discussion the meeting was adjourned at 9:50 pm.

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Lisbeth Fumagalli, Town Clerk